REMARKS

Applicant submits the following remarks in response to the Office Action mailed October 9, 2001. Applicant respectfully submits that the Application as it presently stands is in condition for allowance.

The Examiner has rejected pending claims 1, 4-11 and 14-20 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Siegel, U.S. Patent No. 4,732,411 ("Siegel"), in view of Kutsuma, U.S. Patent No. 5,905,652 ("Kutsuma"). Applicant respectfully submits that all of the rejected claims are patentably distinct from and allowable over Siegel, Kutsuma and the other art of record.

With respect to Kutsuma, that reference discloses a system for prescription medicine wherein prescription information of a patient is uploaded from a doctor's computer ("host computer") to a pharmacy computer ("personal computer"). The personal computer, which has images of medicine stored therein, then creates a document containing the prescription information and an image of the prescribed drug. A digital camera connected to the personal computer can be used to obtain the images. (See col. 3, lines 19-53).

There is no teaching or suggestion in Kutsuma, however, that the system disclosed therein may be used to identify patients through the use of photographs as claimed in the present invention, nor is there any teaching or suggestion in Kutsuma to combine Kutsuma with Siegel in the manner suggested by the Examiner.

Indeed, Kutsuma teaches away from the claimed invention. In the claimed invention, the secondary computer, which is connected to a digital camera, is used to create and store the patient photographs in software object form. The photographs are then uploaded to the

photograph database in the primary computer, where the prescription database also resides. The primary computer is then used to create and print the prescription labels.

In Kutsuma, on the other hand, the same computer which creates the prescription document containing an image of the medication is the same computer which is connected to digital camera. (See, e.g., figure 1 of Kutsuma). This computer, referred to by Kutsuma as the "personal computer," is arguably analogous to the primary computer of the present invention as it prints the prescription document. The second computer in Kutsuma, referred to by Kutsuma as the "host computer", is arguably analogous to the secondary computer of the present invention, but is not involved in the photographic process.

Thus, assuming, arguendo, that one of ordinary skill in the art would combine Kutsuma and Siegel as suggested by the Examiner, Kutsuma at best would teach that the primary computer of the present invention, and not the secondary computer, be used to obtain patient photographs. This is directly opposite to the present invention, where the secondary computer is used to obtain the patient photographs.

Accordingly, it is respectfully submitted that the claims 1, 4-11 and 14-20 are allowable over Siegel and Kutsuma, as well as the other art of record.

Attached for the Examiner's reference is a copy of the International Search report for the PCT application corresponding to the present Application. The Examiner will note that all of the cited references have been cited by the Examiner.

The Commissioner is hereby authorized to charge any fees required by this response to Account No. 501-814, Order No. 42543.3.

In view of the foregoing, Applicant respectfully submits that the Application is in condition for allowance.

Dated: January 9, 2002

Respectfully submitted,

James E. Marina, Esq

Reg. No. 41.969

Attachment (2 pages)

INTERNATIONAL SEARCH REPORT

International application No. PCT/US00/34242

A. CL.	ASSIFICATION OF SUBJECT MATTER :GOSF 19/00; B42D 15/00				
USCL	:700/117; 283/70,75,81; 206/534,538	•			
According	to International Patens Classification (IPC) or to bo	th national classification and IPC			
B. FIE	LDS SEARCHED				
Minimum (documentation searched (classification system follow	ved by classification symbols)			
U.S. :	700/90,117,231,235,237; 283/70,75,81,67,900; 20	6/534,538; 221/5; 600/300			
Documenta	uton scarched other than minimum documentation to	the extent that such documents are include	d in the fields searched		
Electronic (dara base consulted during the international search (name of data base and, where practicable	search terms used)		
	rms: medicine, medication, prescription, drug, phot	ograph, picture, image, label			
	UMENTS CONSIDERED TO BE RELEVANT				
Category*	Citation of document, with indication, where		Relevant to claim No.		
Y	US 4,732,411A (SIEGEL) 22 MARC 1 to col. 4, line 43.	CH 1988, figure 1; col. 2, line	1-18		
Y	US 5,842,976A (WILLIAMSON) 01 col. 1, lines 12-50; col. 2, lines 35-6 lines 57-60; col. 5, lines 39-54; and 6	7; col. 3, lines 43-58; col. 4	1-18		
Y	US 4,730,849A (SIEGEL) 15 MARC 67 to col. 4, line 52.	H 1988; figure 1; col. 1, line	1-18		
A	US 5,174,451A (NIVEN) 29, DECEI lines 48-54.	MBER 1992; figure 3, col. 2,	1,9		
A	US 5,390,796A (KERFOOT, JR.) 21 col. 2, lines 19-34.	FEBRUARY 1995; figure 10;	1,9		
	X Further documents are listed in the commutation of Box C. See patent family annex.				
"A" quarters of cited documents: "A" quarters offining the general same of the art which is not considered to be of particular relovance.		"I" ther document published after the time date and not in conflict with the applica- principle of theory underlying the line	DON how creat to send environt this		
 entries document published on or after the interestional fitting doc document which may throw doubts on priority caum(s) or which is cred to establish the publication onte of another citations or other 		"X" document of particular relevance; the claimed invention cannot be considered povel of cannot be considered to invention cannot be when the document is taking blood on invention cannot be			
4	and reading to an eral disclosure, like tempings or owner.	"Y" document of particular relevance; the claimed invention camers be considered to another an inventive such when the document is combined with one of more other such documents, such combination before the documents.			
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	crital completion of the international search		_ `		
24 JANUARY 2001		Date of mailing of the international search report 0.5 MAR 2008			
Name and mailing address of the ISA/US Commissioner of Parenes and Trademarks Box PCT Washington, D.C. 20231		Authorized officer WILLIAM GRANT James			
acsimile No	•	Telephone No. (703) 305-3900	· // CONCUE		
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INTERNATIONAL SEARCH REPORT

International application No. PCT/US00/34242

		PC17USUU/3424	 -
C (Continua	tion). DOCUMENTS CONSIDERED TO BE RELEVANT		
Caregory*	Citation of document, with indication, where appropriate, of the relevant	passages	Relevant to claim N
A	US 4,918,604A (BAUM) 17 APRIL 1990; col. 3, lines 4	13-46.	7
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